



PATENT  
ATTORNEY DOCKET NO.: 041465-5118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 4  
81  
07-29-23

In re Application of: )  
)  
Nobuo HAINO et al. )  
)  
Application No.: 09/929,110 )  
)  
Filed: August 15, 2001 )  
)  
For: INFORMATION RECORDING )  
APPARATUS, INFORMATION )  
RECORDING METHOD AND )  
INFORMATION RECORDING MEDIUM )  
IN WHICH RECORDING CONTROLLING )  
PROGRAM IS RECORDED )

Group Art Unit: 2652

Examiner: To Be Assigned

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Technology Center 2600

Commissioner for Patents  
U.S. Patent and Trademark Office  
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Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in a European Search Report issued by the European Patent Office on May 19, 2003 in a counterpart foreign application. A copy of the European Search Report is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application and no fees are believed to be necessary.

A copy of the listed documents is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: July 1, 2003

By: 

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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.  
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Application No.:  
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Applicant(s): Nobuo HAINO et al.

**PAGE 1 of 1**

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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner

Date Considered

**Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.